

Appl. No. 10/089,350
Atty. Docket No. 8276
Amdt. Dated June 4, 2004
Reply to Office Action of April 1, 2004
Customer No. 27752

REMARKS

Applicants' claim for priority beginning on page 1, line 5, has been amended to correct errors. Claim 1 has been amended to require that the first side form a plurality of rugosities. Support for the current Amendment to Claim 1 is found on page 16, lines 8-12 of the Specification, as originally filed. No new matter has been presented in amended Claim 1. Claim 12 has been amended to correct its claim dependency from Claim 11 to Claim 10. No new matter has been presented in amended Claim 12. Claims 1-16 remain pending in the instant Application and are presented for the Examiner's reconsideration in light of the above Amendments and the following comments.

Allowed Claims

The Examiner has indicated that Claims 10, 11, and 13-15 have been allowed. Applicants thank the Examiner for this determination.

Objections to the Specification

The Examiner has objected to Applicants' Specification for an informality. To correct this objection, Applicants have amended the paragraph beginning on page 1, line 5. Applicants respectfully request removal of the Examiner's objection to Applicants' Specification.

Objections to the Claims

The Examiner has objected to Applicants' Claim 12 as being presented in improper dependent form. By Amendment herein, Applicants have amended Claim 12 to depend from Applicants' instant Claim 10 rather than Claim 11. Applicants respectfully request removal of the Examiner's objection to Claim 12.

Rejections Under 35 U.S.C. §102

Turning now to the Examiner's rejections of the Claims, instant Claims 1-4 and 6-9 have been rejected under 35 U.S.C. §102(b) over Koumbas, UK Patent Application No. GB 2,134,371A. Claims 1-4 and 6-9 have been rejected under 35 U.S.C. §102(b) over Brammer, EU Patent Application No. 0,638,277A1. Applicants respectfully traverse these rejections for the following reasons:

1. Applicants' Claim 1 claims a disposable semi-enclosed applicator for distributing a substance onto a target surface comprising, *inter alia*, a first side comprising a porous sheet containing at least 50% by weight of a non-absorbent material and a second side comprising an absorbent sheet containing at least 50% by weight of cellulosic material.

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2. The *Koumbas* reference discloses a glove or mitten having a liquid-absorbent exterior and a substantially liquid-proof lining. (1:5-8) The *Koumbas* reference goes on to state that the glove or mitten is intended to be disposable and such is made preferably of an absorbent cellulosic fiber. (1:20-24)

3. Thus, it can be seen that the *Koumbas* reference does not provide, and indeed does not intend to provide, a first side comprising a porous sheet containing at least 50% by weight non-absorbent material.

4. Additionally, and contrary to the Examiner's assertion, the first side is not provided with a porous sheet containing at least 50% by weight non-absorbent material. Rather, the glove or mitten may be provided with an innermost liner of absorbent or semi-absorbent material. Ostensibly, this is to absorb any perspiration from the hand of the wearer. Therefore, the *Koumbas* reference is silent with respect to providing a first side having a porous sheet containing at least 50% by weight non-absorbent material.

5. Applicants' amended Claim 1 now claims a disposable semi-enclosed applicator for distributing a substance onto a target surface, wherein the first side forms a plurality of rugosities.

6. The *Brammer* reference is silent with respect to providing a plurality of rugosities; as claimed by Applicants' amended Claim 1. In fact, there is no suggestion to provide a disposable semi-enclosed applicator, wherein the first side forms a plurality of rugosities, as now claimed by Applicants' amended Claim 1.

Due to these considerations, the *Koumbas* and *Brammer* references fail to teach each and every element of Applicants' claimed invention. Therefore, Applicants respectfully request withdrawal of the Examiner's 35 U.S.C. §102(b) rejection to Applicants' Claim 1.

Because Claims 2-9 and 16 all depend directly or indirectly from Applicants' independent Claim 1, they contain all its respective limitations. For this reason, Applicants submit that the arguments made above concerning the allowability of Claim 1 are equally applicable to the rejection of Claims 2-9 and 16 under 35 U.S.C. §102(b). Therefore, Applicants respectfully request immediate reconsideration and allowance of dependent Claims 2-9 and 16 over the Examiner's 35 U.S.C. §102(b) rejection.

Conclusion

Based on all the foregoing, it is respectfully submitted that each of Applicants' remaining claims is in condition for allowance and favorable reconsideration is requested.

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This response is timely filed pursuant to the provisions of 37 C.F.R. §1.8 and M.P.E.P. §512.
If any additional charges are due, the Examiner is authorized to deduct such charges from Deposit
Account No. 16-2480 in the name of The Procter & Gamble Company.

Respectfully submitted,

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